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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): Ping-Wen Ong
Case: 12
Serial No.: 09/342,408
Filing Date: June 28, 1999
Group: 2178
Examiner: T. Huynh

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature: *[Handwritten Signature]* Date: March 29, 2004

#18 SC
3704

Title: Method and Apparatus for Persistent Access to Web Resources Using Variable Time-Stamps

TRANSMITTAL OF REPLY BRIEF

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Technology Center 2100

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

(1) Reply Brief (original and two copies).

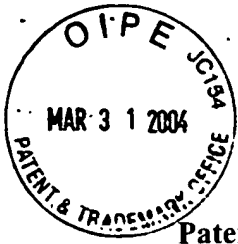
In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-0762** as required to correct the error. A duplicate copy of this letter and two copies of the Reply Brief are enclosed.

Respectfully,

[Handwritten Signature: Kevin M. Mason]

Date: March 29, 2004

Kevin M. Mason
Attorney for Applicant(s)
Reg. No. 36,597
Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06824
(203) 255-6560



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Signature: *Timothy J. Schmitt* Date: March 29, 2004

Title: Method and Apparatus for Persistent Access to Web Resources
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Sir:

Appellant hereby replies to the Examiner's Answer, mailed January 28, 2004, in an Appeal of the final rejection of claims 1 through 25 in the above-identified patent application.

REAL PARTY IN INTEREST

A statement identifying the real party in interest is contained in Appellant's Appeal Brief.

RELATED APPEALS AND INTERFERENCES

A statement identifying the related appeals is contained in Appellant's Appeal Brief.

STATUS OF CLAIMS

A statement identifying the status of the claims is contained in Appellant's Appeal Brief.

STATUS OF AMENDMENTS

A statement identifying the status of the amendments is contained in Appellant's Appeal Brief.

SUMMARY OF INVENTION

A Summary of the Invention is contained in Appellant's Appeal Brief.

ISSUES PRESENTED FOR REVIEW

A statement identifying the issues present for review is contained in Appellant's Appeal Brief.

GROUPING OF CLAIMS

A statement identifying the grouping of the claims is contained in Appellant's Appeal Brief.

CLAIMS APPEALED

A copy of the appealed claims is contained in an Appendix of Appellant's Appeal Brief.

ARGUMENT

Independent Claims 1, 13, and 25 are rejected under 35 U.S.C. §102(e) as being anticipated by Tagawa.

In the Examiner's Answer, the Examiner maintains that the version number taught by Tagawa is a variable timestamp. To support this, the Examiner asserts that the filename included in the URL "has a version number corresponding to a timestamp (date) at which the data is created or updated (Tagawa, col.3 lines 5-20)." Contrary to the Examiner's assertion, however, Tagawa teaches that "the file name further includes a flag indicating that the version of the data is added. Preferably, the version is given by a number corresponding to *year/month/date at a time* when the *uniform resource locator is entered*." Col. 3, lines 5-9. The timestamp taught by Tagawa is thus for a *specific time*. Independent claims 1, 13, and 25 require "receiving a request

for said electronic document, said request including a *variable time-stamp*.” In the specification, a “variable time-stamp” is defined as a time-stamp that can indicate “a number of different dates, such as a date range or a recurring period of time.” (See, page 2, lines 26-27, of the present disclosure). Tagawa does *not* disclose a “variable time-stamp,” as defined in the specification of the present invention.

Thus, Tagawa does not disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

Additional Cited References

In the Examiner’s Answer, the Examiner notes a typographical error in the last paragraph of page 5 of the Supplemental Appeal Brief where Appellant states that “Allard does address receiving a request for an electronic document (said request including a variable time-stamp).” The Examiner also questions whether Appellants have read the cited references in full and maintains that Sawashima teaches a version number range and date range that are included in a search request.

Regarding the typographical error in the last paragraph of page 5 of the Supplemental Appeal Brief, Appellants note that the cited statement should have read “Allard does *not* address receiving a request for an electronic document (said request including a variable time-stamp).” This is supported by the subsequent paragraph, which reads:

Thus, Allard et al. does *not* disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25. (Emphasis added.)

Regarding the Examiner’s assertions related to Sawashima, Appellants note that they have read the cited references in full. Appellants also note that the arguments put forth in the Additional Cited References section were directed to whether the prior art disclosed or suggested a limitation required in the *independent claims* and did not *specifically* address the Examiner’s rejections of the dependent claims. In that section, Appellants demonstrated that none of the references (including Sawashima and the primary reference Tagawa) disclose or suggest “receiving a request for said electronic

document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

Conclusion

5 Thus, Tagawa, Kisor et al., Allard et al., Sawashima et al., Kolb-Proust Archive, George, and Compose Search, alone or in any combination, do not disclose or suggest “receiving a request for said electronic document, said request including a variable time-stamp,” as required by independent claims 1, 13, and 25.

10 The rejections of the independent claims under §102 in view of Tagawa, Kisor et al., Allard et al., Sawashima et al., Kolb-Proust Archive, George, and Compose Search, alone or in any combination, are therefore believed to be improper and should be withdrawn.

Dependent Claims

15 Appellants maintain that, as presented above and in the Supplemental Appeal Brief, Tagawa does not disclose or suggest “an address identifying said electronic document includes said *time-stamp*,” as required by dependent claims 2 and 14.

20 The attention of the Examiner and the Appeal Board to this matter is appreciated.

Respectfully,



Kevin M. Mason
Attorney for Appellant(s)
Reg. No. 36,597
Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06824
(203) 255-6560

Date: March 29, 2004